[President.]

So, all things being propitious, it is possible that the elections may start during next January or February. What I expect is, if everything is favourable and everything is done according to programme, the next Budget, that is, the 1947 Budget, will be dealt with under the new Constitution. It is not likely that it can be earlier than that. So honourable members may frame their programme on that basis.

OATH OF OFFICE.

Mr. H. C. Papworth (*Pro-Vice-Chancellor, University of Travancore*) took the oath and signed the rolls.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Amelioration of the backward classes.

1. **Mr. A. N. Satyanesan:** This Council recommends to Government that the Government activities for the amelioration of the backward classes be increased on the basis of a five-year plan and a separate Government Department be organised under a full time Protector of Backward classes, assisted by an Advisory Board representing all the interests concerned.

Advisory Committee.

2. **Mr. N. Narayana Kurup:** This Council recommends to Government that Advisory Committees be appointed for the Departments of Police, Excise, Medical, Industries, Co-operative, Agriculture, and Education.

Incomplete P. W. D. Works.

3. **Mr. N. Narayana Kurup:** This Council recommends to Government that all roads which the Government have begun more than ten years ago and spent a large amount on and left incomplete, shall be included in the Post-war reconstruction works so as to complete them in the shortest possible time.

President: Is it worth while moving at this juncture resolutions of the type, *viz.*, for the appointment of Advisory Committees on various subjects? Mr. Narayana Kurup has also come forward with such resolutions. Obviously, the committees that are appointed now will be completely modified in character very soon, and the question of representing all the interests concerned will come into vogue. As a matter of fact, the honourable members would have seen a recent resolution of the Government in the matter of having a very full committee for the backward communities and also the announcement that Rs. 3 lakhs per year will be

LIBRARY ARCHIVES Kerala Legislative Assembly

spent on that. That again will be a temporary business until the new legislature comes into being. Then the question of the administration of the backward communities will go into a new committee of two Houses which will not be an advisory committee but an executive committee. But I leave the matter entirely to the House. If they want to discuss the resolutions, they may decide the matter.

Mr. A. N. Satyanesan : മിഷൻപ്രസിഡൻറ് നാവർക്കളുടെ വിശദീകരണമനുസരിച്ച് ഞാൻ ഈ പ്രമേയം അവതരിപ്പിക്കുന്നില്ല.

Mr. N. Narayana Kurup: According to the President's announcement, it will take at least 1 to 1½ years for the new Constitution to come into being. Till then we would like to have such committees as are constituted by Government.

President: If the honourable member wants to move any resolution, he can do so. But I think, there will not be much use.

Mr. N. Narayana Kurup: Sir, I am not particular of moving my resolution then.

President: I wholly agree with the principle of the resolution. In other words, all the P. W. D. works that have been begun already but not completed should obtain priority as Post-war Reconstruction Schemes. For the words ".....that all roads and canals which the Government have begun more than ten years ago and spent a large amount and left incomplete.....," if an amendment is accepted vesting the discretion in the Public Works Advisory Committee to choose either the roads or canals, the Government will accept the resolution.

Mr. N. Narayana Kurup: I have no objection to do so.

President: The amendment may be something like this. All roads and canals as may be decided by the Public Advisory Committe are entitled to priority, may be the nature of the amendment and Government will have no objection to accept the resolution.

Mr. N. Narayana Kurup: The suggestion in the resolution is that several roads and canals have been taken sufficiently early and lakhs and lakhs might have been spent towards improvement. Still they lie in incomplete stages. So to leave discretion...

President: Supposing some of those left incomplete remain so on account of changes in circumstances in the interim, it may not become important to spend any more money on them. Therefore, what is the difficulty in enabling the Public Works Advisory Committee to go into this question, and decide which of them should be taken up? If that is the nature of the amendment, Government will accept the resolution.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. N. Narayana Kurup: Yes, Sir, I accept the position. The resolution with the amendment will read thus :—

"This Council recommends to Government that such of the roads and canals which the Government have begun more than ten years ago and spent a large amount upon and left incomplete as are determined to be important by the Public Works Advisory Committee shall be included in the Post-War reconstruction works and be completed in the shortest possible time."

The resolution was put to vote and accepted by Government.

President: As regards the next resolution, is it necessary to be moved ?

Mr. Paul A. Thaliath: I do not move it.

Mr. G. Revi Varma: Is it not better to obtain the sense of the House ?

President: Orders have already been passed and the travelling allowances have been drawn already by the members of the Legislature.

Mr. K. G. Narayana Panicker: Sir, I move the following resolution.

"This Council recommends to Government that a Committee be constituted to consider and report on the necessity of an enactment so as to consolidate the laws of succession and inheritance among Hindus of Travancore, with a view to their unification without prejudice to their existing customs and usages, of importance."

Mr. A. N. Satyanesan: I second it.

Mr. K. G. Kunjukrishna Pillai: We welcome such a move and accept the resolution. As soon as possible a committee will be appointed to go into this question.

The resolution was put and carried.

President: The next resolution about the levy of tolls is not in order.

Mr. Paul A. Thaliath. Sir, I move the following resolution.

This council requests Government that the ban on 'Malabar Mail' a daily newspaper published from Cochin State, be removed.

President Government may not accept this resolution even if it is caried out by this House

Mr. Paul A. Thaliath: ഗവണ്മെൻറിനെതിരായി ചില ലേഖനങ്ങൾ പ്രസിദ്ധപ്പെടുത്തിയെന്നും തിരുവിതാംകൂറിൽ മൻപ് രാഷ്ട്രീയപ്രക്ഷോഭണം നടത്തിക്കൊണ്ടിരുന്ന ഒരു വ്യക്തിയുടെ മേൽനോട്ടത്തിൽ നടത്തിവരുന്ന ഒരു പത്രമാണിതെന്നും മറ്റുമുള്ള കാരണങ്ങളെ അടിസ്ഥാനപ്പെടുത്തിയാണല്ലോ മലബാർമെയിൽ പത്രത്തെ ഗവണ്മെൻറ് ഇവിടെ നിരോധിച്ചിരിക്കുന്നത്. എന്നാൽ ആ പത്രം എത്രതന്നെയും

LIBRARY ARCHIVES Kerala Legislative Assembly

ലേഖനങ്ങൾ ഗവണ്മെൻറിനെതിരായി പ്രസിദ്ധപ്പെടുത്തിയിട്ടുണ്ടെങ്കിൽ അങ്ങിനെയുള്ള ലേഖനങ്ങൾ ഏതാണോ അവ പ്രസിദ്ധപ്പെടുത്തിയതിൽ ഖേദിച്ച് അവയെ പിൻവലിക്കണമെന്നോ ക്ഷമായാചനം ചെയ്യണമെന്നോ ഗവണ്മെൻറാവശ്യപ്പെട്ടിട്ടുള്ളതായി പൊതുജനങ്ങൾക്കറിയാൻ സാധിച്ചിട്ടില്ല. അതുപോലെതന്നെ തിരുവിതാംകൂറിൽ പ്രക്ഷോഭണം നടത്തിയ ഒരു വ്യക്തി ആ പത്രത്തിൻറെ മാനേജ്മെൻറിൽ ഉൾപ്പെട്ടിട്ടുണ്ടെന്ന് ഗവണ്മെൻറ് പുറപ്പെടുവിച്ച സ്റ്റേറ്റുമെൻറിൽ കാണാൻ ഇടയായി. ആ വ്യക്തി ആരാണെന്നും അതിൽ പറയുന്നില്ല. എനിക്കറിയാവുന്നിടത്തോളം അങ്ങനെയുള്ള ഒരു വ്യക്തി അതിൻറെ നേതൃത്വം വഹിച്ചിട്ടില്ല. അതിൻറെ ചുമതല അങ്ങിനെയുള്ളവരാരും തന്നെ വഹിക്കുന്നും ഇല്ല.

Mr. M. Govindan : പിന്നെ ഏതു വ്യക്തിയാണ് ആ പത്രം നടത്തുന്നത്?

Mr. Paul A. Thaliath : ആരായിരുന്നാലും അദ്ദേഹം തിരുവിതാംകൂർകാരനല്ല.

Mr. A. N. Satyanesan ; ആ വ്യക്തിയുടെ പേർ ഗവണ്മെൻറ് നൽകിയ സ്റ്റേറ്റുമെൻറിൽ പറഞ്ഞിട്ടില്ലേ?

Mr. Paul A. Thaliath ഇല്ല. ഒരു വ്യക്തിയെന്നേ പറഞ്ഞിട്ടുള്ളൂ.

President : He is Mr. M. M. Varkey.

Mr. Paul A. Thaliath : മി. എം. എം. വക്കി അതിൻറെ പത്രാധിപരുമല്ല, ഉടമസ്ഥനും അല്ല.

Mr. A. N. Satyanesan: മി. വക്കിക്ക് പത്രമാഫീസിൽ ജോലിയുണ്ടെന്നറിയാമോ?

Mr. Paul A. Thaliath: ഞാൻ ആ പത്രമാഫീസിൽ പോയിട്ടില്ല. ഏതങ്കിലും ഒരു തെറ്റുചെയ്താൽ അതിനെപ്പറ്റി ശരിയായ അന്വേഷണം നടത്തുകയും അവക്കുള്ള തെളിവുകൾ എന്താണെന്നു മനസ്സിലാക്കി അവരുടെ സമാധാനം ആരായുകയും ചെയ്തതിനുശേഷം മാത്രം അവരുടെ മേൽ നടപടികൾ നടത്തുകയും അവരെ ശിക്ഷിക്കയുമാണ് വേണ്ടതു്. പക്ഷേ ഗവണ്മെൻറ് ഇക്കാര്യത്തിൽ നേരെ മറിച്ച ഒരു നയമാണ് സ്വീകരിച്ചു കാണുന്നതു്. ഒരു സമാധാനംപോലും ചോദിക്കുകയോ കുറ്റപത്രം കൊടുക്കുകയോ ചെയ്യാതെയാണ് ആ പത്രത്തിൻറെ പേരിൽ നടപടികൾ എടുത്തിരിക്കുന്നതു്.

LIBRARY ARCHIVES Kerala Legislative Assembly

Presidnet : That is not correct, because a long list of articles was sent to the Government of Cochin stating that these articles might be brought to the notice of the 'Malabar Mail' and that the paper may be warned not to conduct such propaganda. I received a letter from Sir George Boag saying that he had instructed the Commissioner of Police and certain other officials. Another important official of the Cochin Government told me that he had himself talked to him and that his warnings have become useless, and therefore it was suggested to the Government of Travancore that they may proceed against him in such manner as they may be advised. It is because the warnings given through the Government of Cochin were not heeded to, that Government had to give up that matter.

Mr. Paul A. Thaliath : കൊച്ചി ഗവണ്മെൻറിൽനിന്നും പത്രങ്ങളിൽ കണ്ടതനുസരിച്ച് എല്ലാ പത്രങ്ങൾക്കും മുന്നറിവു കൊടുത്തതായിട്ടാണ് കണ്ടതു്.

President: The Cochin Government warned certain persons, personages and papers on the intemperate agitation against the Travancore Government. Over and above that, they specifically sent for, at least on three occasions, the persons connected with the "Malabar Mail" articles and warned them.

Mr. Paul A. Thaliath : അതുകൊണ്ടു ഞാൻ ഈ സഭയുടെ മുമ്പിൽ സമർപ്പിക്കുന്നതു് ആ പത്രം ഒരു കുറ്റം ചെയ്തിട്ടുണ്ടെങ്കിൽ ആ കുറ്റം എന്താണെന്നു വെളിപ്പെടുത്തിയതിനുശേഷം അവരുടെ സമാധാനംകൂടി അറിഞ്ഞു് അവരെ ശിക്ഷിക്കണമെന്നാണ്. ഒരുപക്ഷേ, കുറ്റം വെളിപ്പെടുത്തി കാണിച്ചുകൊടുക്കുന്നപക്ഷം ബോദ്ധ്യപ്പെട്ടാൽ അവർ അതിൽ പശ്ചാത്തപിക്കുകയും വേണ്ടിവന്നാൽ ക്ഷമായാചനം ചെയ്യുകയും മേലാൽ ആ കുറ്റം ആവർത്തിക്കുകയില്ലെന്നു് ഉറപ്പുപറയുകയും ചെയ്യുമായിരിക്കാം. ധാരാളം പ്രചാരമുള്ളതും പ്രത്യേകിച്ചും വടക്കൻ തിരുവിതാംകൂറിൽ ധാരാളമായി വായിച്ചുകൊണ്ടിരിക്കുന്നതുമായ ഒരു പത്രമാണിതു്. ആ പത്രമാണിപ്പോൾ നിരോധിച്ചിരിക്കുന്നതു്. അവരോടു സമാധാനം ചോദിച്ചറിഞ്ഞതിനുശേഷം ആ പത്രം നിരോധിച്ചിരുന്നുവെങ്കിൽ അതു് ഒരു നീതിപൂർവമായ നടപടിയാകുമായിരുന്നു. അതുചെയ്യാതെ ആ പത്രം നിരോധിച്ചതു് ഒരിക്കലും ശരിയായില്ലെന്നാണ് എന്റെ അഭിപ്രായം.

Mr. Ravi Varma : പത്രാധിപക്കുതന്നെ ഗവണ്മെൻറിനോടു് അപേക്ഷിക്കരുതോ.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. Paul A. Thaliath: അവർ ഗവണ്മെൻറിന് മെമ്മോ റാണ്ഡം കൊടുത്തിട്ടുണ്ടെന്നാണറിവു്. അതിനാൽ ആ പത്രത്തിന്റെ മേൽ ഉള്ള നിരോധനം ഗവണ്മെൻറിൽനിന്നും ഉടയവായി പിൻവലിക്കണമെന്ന് അഭ്യർത്ഥിക്കുന്നു. ഗവണ്മെൻറിന്നേതിരായി ആ പത്രം പറയുന്നുവെന്നാണ് ആ പത്രത്തിന്റെ മേൽ ചുമത്തിയിരിക്കുന്ന ആരോപണം. അതേ സമയംതന്നെ തിരുവിതാംകൂറിലെ പല പത്രങ്ങളും ക്രൈസ്തവസമുദായത്തെ ആകെ ചീത്ത പറയുന്നുണ്ടു്. അതേപ്പറ്റി ഗവണ്മെൻറ് അറിഞ്ഞ ഭാവംപോലും നടിക്കുന്നില്ല. അവരുടെമേൽ യാതൊരു നടപടിയും നടത്തുന്നില്ല. ചില ഉദാഹരണങ്ങൾ ഞാൻ ചൂണ്ടിക്കാണിക്കാം.

President: If any honourable member wishes to bring to the notice of Government—in fact, the articles of the "Malabar Mail" were brought to the notice of Government by some persons—that any paper, conducted in Travancore, is indulging in intemperate or vituperative campaigns, this Government will certainly move in the matter.

Mr. Paul A. Thaliath: ഞാൻ ഇന്നലെ ഒരു കാർട്ടൂണിനെപ്പറ്റി പറഞ്ഞു.

President: It is only a cartoon.

Mr. Paul A. Thaliath: ആ കാർട്ടൂണിനോടനുബന്ധിച്ചു ഒരു ആർട്ടിക്കളാണ് ഞാൻ ഈ സഭയിൽ വായിക്കണമെന്നു വിചാരിക്കുന്നതു.

President: That cannot be. What another paper said has nothing to do with the "Malabar Mail."

Mr. Paul A. Thaliath: എങ്കിൽ അതിനെപ്പറ്റി പിന്നീടു പറഞ്ഞുകൊള്ളാം. അതുകൊണ്ടു് ഗവണ്മെൻറിനോടു് എനിക്കുള്ള അപേക്ഷ, ഈ പത്രം ഏതെല്ലാം ലേഖനങ്ങളാണ് ഗവണ്മെൻറിനെതിരായി പ്രസിദ്ധപ്പെടുത്തിയിട്ടുള്ളതു് എന്നു കാണിച്ചു് അവരുടെ സമാധാനം അറിഞ്ഞതിനുമേൽ മാത്രമേ നടപടികളും നടത്താവു എന്നും അതുവരെ നിരോധനം പിൻവലിക്കണമെന്നുമാണ്.

Mr. P. Gopalan: I second it.

President: Those in favour of this resolution will kindly signify their assent in the usual manner.

Are the Government members voting for or against? I suppose they are not remaining neutral.

Mr. K. G. Kunjukrishna Pillai (*Advocate-General*): No, Sir, we are voting against the motion.

LIBRARY ARCHIVES Kerala Legislative Assembly

President: Then why don't you raise your hands? There is one member languidly raising his hand. Others are not raising the hands. If you are voting against the motion, then why don't you show it? I strongly object to this inattentive procedure on the part of the members of the Treasury Benches when the proceedings are going on.

Mr. K. G. Kunjukrishna Pillai: I am sorry, Sir. We raised our hands.

Mr. Paul A. Thaliath: I demand a poll.

AYES—4.

1. Mr. P. Gopalan
2. ,, K. S. Joseph
3. Mr. K. C. Chandy
4. ,, Paul A. Thaliath

NOES—29.

1. Mr. K. G. Kunjukrishna Pillai
2. ,, N. Ramakrishna Pillai
3. ,, H. C. Papworth
4. ,, G. Narayanan Tampi
5. ,, C. P. Gopala Panicker
6. Dr. H. Parameswaran
7. Mr. B. Paramu
8. ,, C. Kumara Das
10. Dr. S. John
11. Mr. M. Govindan
12. ,, K. A. Raman Pillai
13. ,, G. Narayana Iyer
14. ,, G. Madhavan
15. ,, K. G. Narayana Panicker
16. Mr. A. N. Satyanesan
17. ,, Chidambarathanu Pillai
18. ,, Mustapha
19. ,, S. Veeriah Reddiar
20. ,, Shahul Hameed
21. ,, G. Ravi Varma
22. ,, Mackar Pillai
23. ,, N. Narayana Kurup
24. ,, Valia Raja
25. ,, T. W. U. Parke
26. ,, Padmanabha Pillai
27. ,, D. Krishnan Potti
28. Sry. Thankamma
29. Mr. Namboodiri

NEUTRALS—2.

1. Mr. Sultan Mohideen.
2. Mr. Nadar.

The resolution was voted out.

Mr. K. S. Joseph: May I know whether the President can direct the Government members in regard to voting?

Mr. K. G. Kunjukrishna Pillai: I object to this statement, Sir. After all, we raised our hands. We really voted against the motion. Only the President did not notice it.

LIBRARY ARCHIVES Kerala Legislative Assembly

President: No, no. I waited for some time to see which way you are voting. One man languidly put up his hand. The others did not vote, and I did not know what was in the minds of the Government members. That is why I definitely uttered the warning that they should make up their minds definitely...

Mr. K. G. Kunjukrishna Pillai: I apologise to the President for what had happened. But there was not the slightest hesitation in our voting...

Mr. K S. Joseph: I raise the question for the President's decision, whether the President has the right to...

President: Certainly. In my capacity as the head of this Government I am entitled to see that the officers vote on such a motion. If they vote against Government on such a motion they are liable to dismissal or removal as the motion is one of want of confidence in Government.

Mr. K. S. Joseph: I am putting the question whether you can do that in your capacity as the President?

President: I made the remark as the head of the Government. Very often I have told Mr. Joseph that I act both as the Head of the Government and as the President. I could not have put this question as the President. As honourable members know, it was as the Head of the Government, who found that his officers are slack in the discharge of their duties, that I put it to them.

Mr. K. S. Joseph: Yes, Sir. Then I would raise my protest against the Dewan...

President: No, the honourable member will resume his seat. You have no right to protest against the ruling of the Chair.

Mr. K. S. Joseph: I am not protesting against the ruling of the Chair, but against the action of the Dewan. Certainly, I have no right to protest against the Chair. I put this question. This was because I thought it was the President (*interruption*) If it was the Dewan, then certainly I must say that no member, including the Dewan has the right to put that question when a question is put to the vote. I rise to protest against that because the Dewan has no right to whip up the other members on the Treasury Benches (*interruption*) If the Dewan did it, I must protest against it. I raise my protest against it. I raise my protest and I put it to the Chair that the Dewan's action was not right.

President: The answer is simple. I found that a few members of the Treasury Benches put up their hands very languidly and the other members were inattentive. I wanted to know which way they were voting and I, therefore, definitely asked them whether they were voting against Government or for. It was not

LIBRARY ARCHIVES Kerala Legislative Assembly

President]

a whipping up of the members. If the Government members make up their minds to vote against Government, of course, I could do nothing against them as President. I could simply record it. But I say that it was not a whipping at all. What I asked was : Am I to take it that the Government members are voting for or against Government? It was not a whipping, it was only an enquiry to get the information.

Mr. K. S. Joseph : I put the question first to the President because I understood that the President was asking for a vote of the House.

President : I merely wanted to know which side they were voting. The honourable member must realise that the question that I put to the Government members was: "are they voting against or are they voting for". I did not put the question; "please get up or please vote for ".

Mr. K. S. Joseph : I did not suggest that the President made any suggestion, but the Dewan said just a while ago, i. e., you said so in your capacity as the Dewan.

President : Order, order. This should be made clear. As President, I only asked them which way they were voting. If, for instance, they were voting against Government, on such a motion the next procedure may be that I should pass disciplinary orders against them. But as President, I merely asked whether they were going to vote for or against or were going to be neutral. I had that right. I have done so to various other persons. When, in fact, Mr. Satyanesan voted a few minutes back I asked him 'Why are you voting so langiduly'. I have no right to ask him to vote for or against. But if I did not definitely know which way he is voting, I must ask him.

Mr. K. S. Joseph : When the question was put and then an admonition was given to the Treasury benches 'Why they could not make up their minds' and surely it was not done as President, but in the capacity of the Dewan, and it is...

President : What is the motion of the honourable member?

Mr. K. S. Joseph : Can the Dewan or any member of the Government bench...

President : Order, order. I cannot be cross-examined and I decline to answer the question.

Mr. K. S. Joseph : Decline to answer the question, Sir?

President : Yes, neither myself nor any Government member is bound to answer such questions.

Mr. K. S. Joseph : I understand that argument Sir.

LIBRARY ARCHIVES Kerala Legislative Assembly